

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services proposes to amend Chapter 170, "Child Care Services," Iowa Administrative Code.

The proposed amendments:

- Add new forms and procedures to be used with the Department's new child care management information system, called KinderTrack.
- Align Child Care Assistance policy with policy of other financial support programs administered by the Department.

The KinderTrack system will contain the work schedules and training schedules of eligible families and the number of units of child care services that have been authorized for each family. This database will allow automated issuance of a form informing the provider of what child care usage the Department expects to cover (separate from the notice of decision issued to the family) and issuance of a detailed billing statement listing the children and units expected to be claimed.

When the KinderTrack system is implemented, the provider will have the option of completing and returning the printed claim and attendance documentation, similar to the methods currently used, or completing and submitting the claim on line through access to a secure Internet Web site. A provider who chooses to submit claims electronically must print an attendance record that is signed by both the parent and the care provider to document agreement on the amount of care to be billed. Since the attendance documentation will not be submitted with the claim, the provider must maintain the documentation for a period of five years after the billing date. Failure to produce this documentation upon audit will be grounds for recovery of the assistance paid.

The Department expects to phase in conversion to the new system on a geographical basis over a period of about six months. Areas that are not yet converted will continue to use the current enrollment and billing procedures.

The earnings of a student who is under the age of 18 is added to the list of income exclusions to match the policy of the Family Investment Program. Income from temporary employment with the Bureau of the Census is also excluded. The Medicaid, HAWK-I, Family Investment, and Child Care Assistance programs are all moving to exclude income from temporary census employment on the recommendation of the Department of Health and Human Services. Treating the same family circumstances in the same way across multiple programs clarifies and simplifies the eligibility process for both families and workers.

These amendments do not provide for waivers in specified situations because they benefit the applicant family and offer a range of options to the provider. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

Any interested person may make written comments on the proposed amendments on or before July 23, 2008. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Analysis and Appeals, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

These amendments are intended to implement Iowa Code Supplement section 237A.13.

The following amendments are proposed.

ITEM 1. Amend rule ~~441—170.1(237A)~~, “Provider error” as follows:

“*Provider error*” means and may result from:

1. Presentation for payment of any false or fraudulent claim for services or merchandise;
2. Submittal of false information for the purpose of obtaining greater compensation than that to which the provider is legally entitled;
3. Failure to report the receipt of a child care assistance payment in excess of that approved by the department;
4. Charging the department an amount for services rendered over and above what is charged private pay clients for the same services;
5. Failure to maintain a copy of Form 470-4535, Child Care Assistance Billing/Attendance Provider Record, signed by the parent and the provider.

ITEM 2. Adopt the following new subparagraphs **170.2(1)“d”(35)** and **170.2(1)“d”(36)**:

(35) The earnings of a child aged 18 or under who is a full-time student.

(36) Census earnings received by temporary workers from the Bureau of the Census.

ITEM 3. Amend paragraph **170.3(1)“c”** as follows:

c. The date of application is the date a signed application form containing a legible name and address is received in the ~~county~~ department office.

ITEM 4. Amend paragraph **170.3(3)“a”** as follows:

a. The department worker or PROMISE JOBS worker shall determine the number of units of service authorized for each eligible family and shall:

(1) ~~inform~~ Inform the family ~~and the family’s provider~~ through the notice of decision; and

(2) Inform the family’s provider through the notice of decision or through Form 470-4444 Certificate of Enrollment.

ITEM 5. Amend paragraph **170.4(7)“g”** as follows:

g. *Submission of claims.* The department shall issue payment when the provider submits correctly completed documentation of attendance and charges. The department shall pay only for the number of units of service authorized in the notice of decision issued pursuant to subrule 170.3(3). Providers shall submit ~~either a claim in one of the following ways:~~

(1) Using Form 470-0020, Purchase of Services Provider Invoice, or Form 470-4466 or 470-4466(S), Child Care Provider Claim, accompanied by Form 470-3872, Child Care Assistance Attendance Sheet, signed by the parent; ~~or~~

(2) Using Form 470-3896, PROMISE JOBS Child Care Attendance and Invoice;

(3) Using Form 470-4534, Child Care Assistance Billing/Attendance; or

(4) Using an electronic request for payment submitted through the KinderTrack system. Providers using this method shall print Form 470-4535, Child Care Assistance Billing/Attendance Provider Record, to be signed by the provider and the parent. The provider shall keep the signed Form 470-4535 for a period of five years after the billing date.